

UNITED STATES DISTRICT COURT
OF
MASSACHUSETTS

CIVIL ACTION
No. 05-10091-JLT

Dornell Wigfall, Pro se.
vs.

Michael Sheehan, Ernest Therien,
Philip M. Smith, David Stringham,
Scott E. Peterson, Stanley Galas,
Thomas F. Borroni, Sherry ELLIOT, et al.
Anthony Catalano,
Kenney Deorcey,
Kevin O'hearn,
Kevin Deschampe,

PLAINTIFF'S MOTION TO SUPPLEMENT
COMPLAINT STATING CLAIMS OF THE
ABOVE NAMED DEFENDANTS TO
CONSOLIDATE THE ENTIRE COMPLAINT

Now comes the plaintiff in the above and
moves this Honorable Court to grant this
motion for the following reasons:

1. Defendant, Michael Sheehan, is a corre-

ctions officer employed with the Mass
 -achusetts Dept of Corrections MCI Cedar
 Junction Walpole Prison who interfered with
 plaintiff's Medical Condition and Treatments
 Continuing to remove portion of his regular
 and medical feedings from completed specially
 prepared trays, Denied plaintiff's exit from the
 cell to go to the inst (HSU) hospital for his AM:
 7:30 Medical treatment intentionally and deliber-
 tly causing medical and further medical
 complication from a normal blood count of 60s
 to over 309 endangering plaintiff's health and
 life; denied plaintiff his access to out of
 cell recreation one hour a day required by
 law and outdoor fresh air exercise.

2 Defendant Sheehan continued filing falsified
 disciplinary reports to deny plaintiff of any
 programs, use of the inmate's phone, daily
 shower required of a diabetic, denied plaintiff
 to any activities including the use of the
 institutions canteen Corp to buy food or needed
 cosmetics, denied his visits, access to the
 Law library for access to the courts.

Defendant, Sheehan violated plaintiff's 1st, 5th, 6th, 8th and 14th Amendment to the U.S. Constitution (§1), including due process - equal protection.

3. Defendant, Philip M. Smith, deprived plaintiff his right to refill his empty KOP medication needed, continued daily delay and intentional harassments, discriminative actions towards plaintiff interference in his medical condition and treatments violating his due process rights, filing falsified disciplinary reports that denied him access to programs including access to courts, visits, chapel, to the chow hall, the use of the phone, out of cell required one hour daily out door recreation and fresh air and access to property, denied plaintiff equal protection to keep confen (food) at all times in his cell do to his medical condition.

Defendant Philip M. Smith, Violated Plaintiff's 1st, 5th, 6th, 8th and 14th Amendment to the U.S. Constitution (§1) including Due process and equal protection - endangering his health and life.

4. Defendant, Scott Peterson, denied Plaintiff access to his medical treatment needed, including denying the nurse to come give Plaintiff his life surviving medication which caused a major medical complication while illegally housed in the institutions Segregation Special Management Unit 10 block. That violated Plaintiff's 1st, 5th, 8th and 14th Amendment to the U.S. Constitution (§1) and due process, equal protection and falsifying Reports.

5. Defendant Scott Peterson, being a ranking officer refused to correct the wrong he was personally aware of against Plaintiff to allow or order Plaintiff to receive his medical

treatment, nor did he allow the medical nurse to come give the needed medication which caused serious medical complications. Violating all of the above constitutional rights, equal treatment and due process.

6. Defendant, Thomas F. Borroni, is a captain who denied the plaintiff his access to his legal property from long term storage brought to segregation unit 10 block and refused to intervene; Violating Plaintiff's 1st, 8th and 14th Amendment to the U.S. Constitution (§1) and due process and equal protection rights.

7. Defendant Anthony Catalano, Kevin Ohearn, and Defendant Ernest Therien, Denied plaintiff his right to be free from arbitrary disciplinary procedures, double Jeopardy, denying him witness evidence, denial of property, visits, phone use,

equal treatment to buy foods from the institutions Conteen Corp to keep in his cell to help his medical condition and treatment, denied access to the outdoor big yard fresh air exercise, access to chapel, gym, chow hall other programs violating his right to due process and 1st, 8th and 14th Amendment to the U.S. constitution.

8. Defendant, Kenney Deorcey, is a captain who refused to intervene into the report against plaintiff Wigfall affirming the actions of the reporting officers without evidence that returned plaintiff back to higher security without any disciplinary hearing, finding of guilt by a 3 man panel board, violating plaintiff rights to due process, equal treatment, keeping him housed in punitive segregation

by his actions complicating plaintiff's medical condition and treatment violating his 1st, 5th, 8th and 14th Amendment to the U.S. Constitution.

9. Defendant, Kevin Deschampe, is a Sgt. over the Segregation 10 block (DSU), (SMU) Special Management Unit who two deprived plaintiff exit from his cell to go to the hospital or medical office for his medical treatment that caused plaintiff further medical complications deliberately, and denied Medical Staff Linda _____ her access to come treat him knowing he was in trouble medically damaging nerves permanently bringing his blood count above average almost causing the stroke, or death immediately, removing necessary foods and drinks of juice, milks from his cell prior to denying him access to

his medicine (insulin) supporting defendant Scott Peterson's illegal action denying his medical treatment or medicine constituting deliberate indifference, denial of equal treatment, due process and violating plaintiff's 1st, 5th, 8th and Fourteenth Amendment Right to the U.S. Constitution including deprivation of any out of cell fresh air recreation exercise.

10. Defendant, Sherry Elliot, is the director of treatment over all prisoners of MCI Cedar Junction Prison where plaintiff is being housed illegally where defendant Elliot refused to review and intervene on the illegal actions against the plaintiff assisting her peers and defendants depriving plaintiff of any protection in violation of

of his rights to due process, equal
 treatment, free from arbitrary disciplinary
 proceedings, falsified report, denied
 of his rights to programs, chapel, out
 door and out of cell fresh air exercise,
 denied visits, access to the use of
 the phone, access to the gym, to eat
 in the chow hall, access to property
 removed from his cell unreasonably,
 denied his witnesses for hearings,
 evidence, denied him the use of the
 institutions canteen Corp to buy foods
 and cosmetics needed he was denied,
 denied any of his appliances, refused
 to intervene in on plaintiff's medical
 treatments and conditions reported to her
 office and denied plaintiff equal treatment
 due process, Medical treatments and out of
 cell daily as required by law one hour
 daily for exercise, denied access to the law

for researches to meet court deadlines and appeals neglecting her responsibility towards the plaintiff violating his 1st, 4th, 5th, 8th and 14th Amendment Rights to the U.S. Constitution (§1).

11. Defendant, David Stringham, and Defendant, Stanley Galas, were and are the director over the DOC's MCI Cedar Junctions Walpoles Medical Department who refuse to intervene into the mistreatment of Plaintiff who is and was a patient in the long time care of medical physicians they are and were in charge over who committed indifference to the well being and constant harassments and interfering of the plaintiff's medical treatments and his condition allowing him to be mistreated

and abuse by correctional staff's defendants over and over which contributed to the plaintiff's decline in health knowing after they were informed of him being denied medication, long hours and days of delayed medical treatment if any at all. Constituting deliberate indifferent, cruel and unusual treatment, double Jeopardy, due process violations, and neglect violating plaintiff's 1st, 8th and 14th Amendment Rights to the U.S. Constitution.

All the above named defendants throughout this complaint has committed deliberate indifference, violated plaintiff's due process rights and equal treatment pursuant to 42 USC § 1983; 28 USC § 1331(a); 42 USC § 1985; and 42 USC § 1343; and 28 USC § 1367.

Wherefore, Plaintiff request that
his prose, Motion be granted.

June 11, 2005

Respectfully Submitted
Dorrell Wigfall
Dorrell Wigfall Prose,
P.O. Box 100 So.
Walpole, Ma. 02071

VERIFICATION

I herewith say this legal document is
served on June 11, 2005 by regular
first class mailing.

Dorrell Wigfall

UNITED STATES DISTRICT COURT
OF
MASSACHUSETTS

I DEPOSE AND SAY MY AFFIDAVIT
IS WRITTEN IN SUPPORT OF MY
PRO-SE MOTION TO SUPPLEMENT
COMPLAINT STATING CLAIMS OF
THE ABOVE NAMED DEFENDANT TO
CONSOLIDATE THE ENTIRE COMPLAINT

I say that my Affidavit is written
to support my Motion in the above
as true and is to consolidate
the named defendants Michael Sheehan,
Philip M. Smith, Scott Peterson, Thomas Borronig,
Anthony Catalano, Kenney Deorcey, Kevin Ohearn,
Kevin Deschampe, Ernest Therien, David Stringham,
Stanely Galas, and Sherry Elliot, et al.

Signed under the Pains and penalty
of perjury

June 11, 2005

Mr. Donnell Higford
Mr. Donnell Higford, Assoc.
P.O. Box 100 50.
Walpole, Ma. 02071